



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0700

Introduced 2/6/2009, by Rep. Mike Bost

#### SYNOPSIS AS INTRODUCED:

410 ILCS 315/2f new

Amends the Communicable Disease Prevention Act. Provides that if a public safety official believes that he or she has been exposed to an infectious disease while performing his or her duties, other than those as an emergency services provider, which, in the opinion of a physician, could involve exposure to an infectious disease or condition, the public safety official or the provider agency may request the patient or individual who may have transmitted the infectious disease to consent to having the necessary diagnostic blood tests performed. Provides that the patient or individual who may have transmitted the infectious disease or condition shall be informed that he or she has the right to consent to the test for the presence of an infectious disease or condition. Provides that if the patient or individual refuses to consent to such tests, the public safety official or the provider agency may petition a federal district court for an order mandating that the necessary diagnostic blood tests of the patient or individual be performed. Makes other changes. Effective immediately.

LRB096 03346 RPM 13367 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Communicable Disease Prevention Act is  
5 amended by adding Section 2f as follows:

6 (410 ILCS 315/2f new)

7 Sec. 2f. Significant exposure to infectious disease.

8 (a) In this Section:

9 "Provider agency" means any law enforcement agency, fire  
10 department, emergency medical service, school district, or  
11 other entity that employs or directs emergency services  
12 providers or public safety officials.

13 "Public safety official" means a sheriff, deputy sheriff,  
14 police officer, State police officer, paid or volunteer  
15 firefighter, school district employee, or any civilian law  
16 enforcement employee or volunteer performing his or her duties,  
17 other than those as an emergency services provider.

18 (b) If a public safety official believes that he or she has  
19 had a significant exposure to an infectious disease or  
20 condition while performing his or her duties, other than those  
21 as an emergency services provider, which, in the opinion of a  
22 physician, could involve exposure to an infectious disease or  
23 condition, the public safety official or the provider agency

1 that employs or directs him or her may request the patient or  
2 individual who may have transmitted the infectious disease or  
3 condition to consent to having the necessary diagnostic blood  
4 tests performed.

5 The patient or individual who may have transmitted the  
6 infectious disease or condition shall be informed that he or  
7 she has the right to consent to the test for the presence of an  
8 infectious disease or condition and that if the patient or  
9 individual refuses the test, such refusal will be communicated  
10 to the public safety official or the provider agency. If the  
11 patient or individual is unconscious or incapable of signing an  
12 informed consent form, the consent may be obtained from the  
13 patient's or individual's next of kin or legal guardian. If the  
14 patient or individual refuses to consent to such tests, the  
15 public safety official or the provider agency may petition a  
16 federal district court for an order mandating that the  
17 necessary diagnostic blood tests of the patient or individual  
18 be performed.

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.